

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

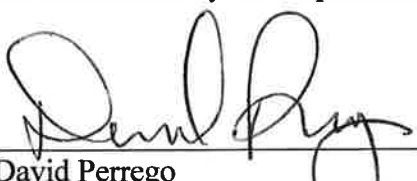
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Permit SW-15/01
Permit Type: Transfer Station

Effective Date: June 9, 2015
Expiration Date: June 9, 2025
Permittee: Delaware Solid Waste Authority
P.O. Box 455
1128 S. Bradford Street
Dover, Delaware 19901

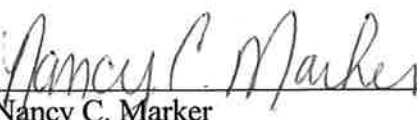
Pursuant to 7 *Del. C.* Chapter 60, Section 6003 and the *Delaware Regulations Governing Solid Waste*, approval of the Department of Natural Resources and Environmental Control is hereby granted to operate the Delaware Recycling Center Transfer Station (formerly Pigeon Point Transfer Station) at 1101 Lambson Lane, New Castle, Delaware, subject to the terms and conditions of this permit. Permit SW-15/01 also allows for Household Hazardous Waste (HHW) Collection program events to be held on-site and at temporary off-site locations. All terms and conditions of this permit are enforceable by the Department.



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6/9/15

Date



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I. GENERAL CONDITIONS:

- A. Pursuant to Section 4.1.1.1 of the *Delaware Regulations Governing Solid Waste* (DRGSW), the Department of Natural Resources and Environmental Control (DNREC) hereby renews the permit for the Delaware Solid Waste Authority (DSWA) to operate a Transfer Station located at 1101 Lambson Lane and known as the Delaware Recycling Center Solid Waste Transfer Station Facility. Permit SW-15/01 replaces the existing permit, SW-05/04.
- B. This permit applies to the operation of a solid waste transfer station, designated as Building 6B (Formerly Building 1) at the Delaware Recycling Center (DRC) facility. The former Building 2 is no longer used for transfer operations, as specified in the *Plan of Operations*, dated December 2014, and attached to the *Delaware Recycling Center Transfer Station Permit Renewal Application*, dated December 2014.
- C. This permit was issued in accordance with the following documents submitted by the DSWA:
 - 1. DSWA letter regarding *Intent to Renew Transfer Station Permit No. SW-05/04*, dated December 2, 2014.
 - 2. *Delaware Recycling Center Transfer Station Renewal Application*, dated December 2014. This submittal contains both the *Plan of Operations for the Delaware Recycling Center Transfer Station*, dated December 2014 (Operating Plan) and the *Contingency Plan for the Delaware Recycling Center Transfer Station*, dated April 28, 2005 (Contingency Plan).
 - 3. *DSWA Operating Permit Renewal and Modification*, submitted December 2004.
 - 4. DSWA original submittal, *Application for DNREC Operating Permit Including Facility Design Report and Plan of Operations*, dated 5/2/95.
 - 5. *Delaware Solid Waste Authority/Clean Harbors HHW Operational, Health and Safety Site Plan*, electronically submitted May 12, 2015
- D. This permit is issued subject to the following general conditions:
 - 1. All operations at the Delaware Recycling Center Solid Waste Transfer Station (the Transfer Station) shall be conducted in accordance with all federal, state, county, and municipal environmental statutes, ordinances, and regulations, including but not limited to: the *Delaware Regulations Governing Solid Waste*, the *Delaware Regulations Governing Hazardous Waste*, *Delaware Regulations Governing the Control of Water Pollution*, the *Delaware Surface Water Quality Standards* and the *Delaware Regulations Governing the Control of Air Pollution*.
 - 2. Access to the Transfer Station by unauthorized persons shall be prevented by barriers, fences, and gates, or other suitable means. Access for the purpose of transfer of solid waste shall be limited to those times when an attendant is on duty and to those persons authorized to use the site for the disposal of solid waste. The DNREC may, at any reasonable time, enter the Transfer Station to verify compliance with the permit and the DRGSW.
 - 3. This permit may be revoked upon violation of any condition of the permit or any

requirement of the DRGSW after notice and opportunity for hearing in accordance with 7 Del. C. Chapter 60.

4. Permit SW-15/01 shall expire no later than June 9, 2025.

II. OPERATIONS:

- A. Operations at the Transfer Station shall be conducted in accordance with the DRGSW, this permit, and the *Plan of Operations for the Delaware Recycling Center Transfer Station*, dated December 2014 (Operating Plan) enclosed with the DSWA letter dated December 2, 2004 ("Letter of Intent to Renew Transfer Station Permit").
- B. Sufficient numbers and types of personnel, as specified in the Operating Plan, shall be available at the site to insure capability for operation in accordance with the DRGSW and this permit.
- C. Waste tipping, handling, and loading operations shall be conducted within the transfer station (Building 6B) at all times, as designated in the *Engineering Report Updates, Delaware Recycling Center Transfer Station*, dated December 2014.
- D. Weight restriction: The Transfer Station shall not accept more than 2,000 tons of solid waste per day. The Transfer Station shall not accept more than 360,000 tons of solid waste in any calendar year.
- E. Household Hazardous Waste (HHW) Collection Program: This permit allows for the HHW collection program events to be held on-site and at temporary locations off-site. The HHW collection program events shall be conducted in accordance with the *Delaware Solid Waste Authority/Clean Harbors HHW Operational, Health and Safety Site Plan*, electronically submitted May 12, 2015.
- F. Acceptable materials: The Transfer Station is permitted to accept only municipal solid waste and commercial solid waste. HHW events will accept materials in accordance with the *Delaware Solid Waste Authority/Clean Harbors HHW Operational, Health and Safety Site Plan*, electronically submitted May 12, 2015.
- G. Prohibited materials: The DSWA shall exercise reasonable care to ascertain whether waste accepted at the facility is prohibited waste, and shall not accept the following prohibited waste:
 1. Hazardous waste other than household hazardous waste. Hazardous waste other than regulated hazardous waste, as defined in 40 CFR 258.20(b), may be accepted at the HHW collection program event.
 2. Infectious waste, except when generated by Delaware households.
 3. Licensed radioactive material (as described in the Delaware Radiation Control Regulations), and any radioactive material considered source, special nuclear, or by-product material as defined by Atomic Energy Act of 1954.

4. Liquid waste as restricted by 40 CFR Part 258.28.
5. Special solid wastes (wastes that require extraordinary management).
6. Asbestos containing materials.

H. Waste screening: Waste inspection of all incoming loads as well as random waste screening shall be in accordance with the *Delaware Solid Waste Authority Solid Waste Screening Program*, dated September 19, 1997, and the Operating Plan. All Transfer Station personnel responsible for waste inspection, including scale attendants and equipment operators, shall comply with these procedures.

I. Waste Storage:

1. All waste materials delivered to the transfer station shall be transported off-site within 72 hours of delivery to the site. Solid wastes generated from the sorting/separating operation at the ReCommunity Delaware, LLC (ReCommunity) operation shall be kept separate from other wastes at the transfer station, and contained in a roll-off or similar container staged inside of the transfer station building.
2. Wastes accepted as part of the HHW collection program event shall be stored in a temporary on-site storage facility if remaining overnight at the transfer station. Overnight storage at HHW collection program events conducted off-site is prohibited. Wastes collected by the HHW collection program event and stored in a temporary on-site storage facility shall be removed from the site within 180 days of acceptance. Wastes accepted as part of this program will be properly packaged and segregated in accordance with the *Delaware Solid Waste Authority/Clean Harbors. HHW Operational, Health & Safety Site Plan, submitted electronically May 12, 2015*.
3. While wastes accepted as part of a HHW collection program event are being accumulated, each container shall be properly labeled with the words "Hazardous Waste" or a description of the contents of the container and the date accumulation began.

J. Waste Transfer:

1. All waste materials transported off site shall be taken to a facility permitted to accept these solid wastes.
2. All vehicles transporting waste from the transfer station must have a valid solid waste transporter permit issued by the DNREC. In their contracts with transporters hauling waste from the transfer station, the DSWA shall stipulate that the contractor maintain a valid solid waste transporter permit issued by the DNREC. DSWA shall investigate and determine the current validity of the permit if it has reason to suspect a permit is not valid.
3. The DSWA shall not allow any tractor and semitrailer vehicle having 5 axles to depart the transfer station with a gross vehicle weight in excess of 80,000 pounds.
4. Wastes collected as part of a HHW collection program event shall be transported from the site by a transporter permitted to transport hazardous wastes within the State of Delaware.

- K. Litter Control: Litter resulting from transfer station operations shall be controlled and collected in accordance with the Operating Plan.
- L. Odor Control: Odors shall be controlled in accordance with the Operating Plan. The DSWA shall operate the transfer station in a manner so that nuisance odors, detectable outside the boundaries of the property, are prevented.
- M. General maintenance:
 - 1. The transfer station shall be operated in a manner to prevent the establishment of habitats for nuisance organisms such as flies, maggots, roaches, rodents, and similar vermin in accordance with the Operating Plan.
 - 2. Good housekeeping practices shall be employed in accordance with the Operating Plan.
- N. Monthly and weekly fire inspections shall be conducted and recorded in accordance with Section 2.c of the Operating Plan. The DSWA shall maintain records of these inspections in accordance with Section IV of this permit.
- O. While the transfer station is receiving, storing, or transferring solid waste, the DSWA shall conduct operational inspections of the facility and shall maintain records of these inspections in accordance with Section IV of this permit. As a minimum, operational inspections shall consist of the following:
 - 1. Operating staff shall inspect the facility each operating day to identify and correct problems with litter, operating equipment, general housekeeping, odors, and vectors.
 - 2. Operating staff shall inspect the facility at least once each week to identify and correct problems with first aid kits, personal protective equipment, and spill kits.
- P. Health and Safety:
 - 1. Employees at the site shall work under all appropriate health and safety guidelines established by the Occupational Safety and Health Administration.
 - 2. Use of personal protective equipment shall be in accordance with 29 CFR Part 1910.132 as a minimum.
 - 3. First aid equipment shall be available at the site.
 - 4. All firefighting equipment shall be maintained in operating condition and kept clear of obstructions at all times.
 - 5. Employees handling wastes collected as part of a HHW collection program event must complete initial and continual training designed to ensure that site personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems as applicable.
 - 6. HHW collection program event training shall include as a minimum, training for general site workers in accordance with 29 CFR 1910.120 section (e), including forty (40) hours of initial training. Eight (8) hour refresher training shall be required annually, once initial training has been completed. Training must have been satisfactorily

completed within the past year (364 days) in order to be considered current.

7. Employees handling wastes collected as part of a HHW collection program event shall work in accordance with the *Delaware Solid Waste Authority/Clean Harbors HHW Operational, Health and Safety Site Plan, electronically submitted May 12, 2015*.
 8. Staffing for HHW collection program events shall be in accordance with the *Delaware Solid Waste Authority/Clean Harbors HHW Operational, Health and Safety Site Plan, electronically submitted May 12, 2015*.
- Q. Training: All employees assigned duties at the transfer station (except the secretary/receptionist) shall receive, as a minimum, the training listed below. Unless otherwise specified by a nationally recognized training provider (for example, the American Red Cross as a training provider for First Aid), training shall be required initially and annually thereafter. Initial training for waste screening shall be completed within 60 days of hiring and all other training shall be completed within 180 days of hiring.
1. Operational and contingency procedures.
 2. Waste screening (reference the *Delaware Solid Waste Authority Solid Waste Screening Program*, dated September 19, 1997).
 3. Health and safety procedures.
 4. Fire prevention and protection.
 5. Emergency first aid.
- R. Contingency:
1. The DSWA shall ensure that all staff involved with the operation of the Transfer Station complies with Section 5.c (Emergencies) of the Operating Plan.
 2. Equipment specified for use in Section 5.c (Emergencies) of the Operating Plan shall be properly maintained on site. This shall include personal protective equipment, spill kits, spill containment materials, fire extinguishers, and a first aid kit.
 3. The DSWA shall maintain a current and correct "Emergency Contacts" and "Emergency Services" list at the transfer station and shall notify the DNREC within 5 business days of any changes therein. These lists shall be prominently displayed at the Transfer Station and all operating personnel informed of their location and function.
- S. Wastewater discharge: All wastewater discharge from the transfer station or resulting from transfer station operations or contingency shall be discharged only as allowed by a wastewater discharge permit issued by New Castle County or its designee. The DSWA shall prevent leachate from accumulating in the drains, pipes and collection chambers serving the tipping floor, particularly if the drain to the sewer is sealed. The DSWA shall notify the DNREC prior to reopening the tipping floor drain to the sewer.

III. REPORTING:

- A. Financial Assurance: No later than December 31st of each year, the DSWA shall submit

their financial statements for the most recently completed fiscal year along with an updated and reasonably accurate cost estimate of closure for the transfer station. Cost estimates shall be adjusted for inflation except for new cost estimates not previously made. DSWA shall provide a detailed listing of all projected costs used to estimate the closure costs for the Transfer Station.

B. Annual report: No later than March 1st each year, the DSWA shall submit an annual report to the DNREC. This annual report shall summarize transfer station operations for the previous year and include:

1. Type and weight of waste received.
2. A list of transporters that hauled waste to and from the facility during the year covered by the report. The list shall include only those transporters with at least one vehicle having a gross vehicle weight of over 26,000 pounds.
3. Destination of the solid waste and the type and weight of waste taken from the Transfer Station and delivered to its final destination.
4. Summary of fires, spills, and uncontrolled releases that occurred at the transfer station.
5. Descriptions of any intentional or accidental deviations from the Operating Plan.
6. Descriptions of any intentional or accidental deviation from the Contingency Plan.
7. Descriptions of all construction or corrective work conducted on the site in accordance with DNREC approved plans or to achieve compliance with the DRGSW.
8. Quantity and types of wastes received and processed at HHW collection program events, including wastes collected at HHW collection programs held off-site.
9. Waste transporters used for the HHW collection program events must include point of contact, company business name, address and phone number.

C. Emergency Reporting:

1. The DSWA shall notify the DNREC immediately in the event of:
 - a. Fire or explosion involving the Transfer Station.
 - b. Receipt of prohibited waste at the Transfer Station.
 - c. A release of leachate (10 gallons or more) outside of the building.
 - d. Any spill or uncontrolled release that may endanger human health or the environment.
2. The DSWA shall submit a written notification to the DNREC no later than five business days following any event requiring "Emergency Reporting". The notification shall include the following:
 - a. Date and time of occurrence/discovery.
 - b. Date and time reported to DNREC.
 - c. Materials and quantities involved.
 - d. Agencies notified.
 - e. Narrative describing how the incident occurred and the actions taken by the DSWA and other response personnel.

- f. Report of injuries/damage.
- g. Proposal for follow-up or remedial actions including schedule.

D. Additional Reporting:

1. As soon as noticed, the DSWA shall report to the DNREC, any intentional or accidental deviation from any approved plan.
2. The DSWA shall provide immediate notification to the DNREC regarding any non-compliance with the wastewater discharge permit issued by New Castle County or its designee.
3. The DSWA shall provide immediate notification to the DNREC anytime the weight restrictions (permit condition II.D.) or storage time limits (permit condition II.I.) are exceeded.
4. The DSWA shall maintain a current and correct "Emergency Contacts" and "Emergency Services" list at the transfer station and shall notify the DNREC within 5 business days of any changes therein.
5. The lists of emergency numbers and contacts shall be kept current by the DSWA to ensure that the list is accurate at the time of each HHW collection program event (including the HHW temporary collection events off-site). Changes to the emergency contact list must be provided to the Department prior to the next HHW collection event.
6. As part of the HHW collection program, the permittee shall notify the DNREC immediately of any spill which occurs outside of the containment area involving waste accepted as part of a HHW collection program event. Immediate notification shall also be required for contained spills exceeding one gallon (or ten pounds).
7. The DSWA shall notify the Department in writing at least 15 days prior to each HHW temporary collection program event held off-site. The notification shall include, time, date, and specific location of the temporary collection program event.

IV. RECORDKEEPING:

- A. The following information must be recorded in a timely manner and the records retained by the DSWA for at least three years: The information shall be kept on site or made available to the DNREC within a reasonable period of time after being requested.
1. A record of the type and weight of waste received by the Transfer Station each day.
 2. A record of the transporters (company name, address, and telephone number) hauling wastes to and from the facility. Records shall include only those transporters with at least one vehicle having a gross vehicle weight of over 26,000 pounds.
 3. A record of the type and weight of solid waste delivered from the Transfer Station to its final destination each day.
 4. A record of fires, spills, explosions, and uncontrolled releases that occurred at the facility and of hot loads received.
 5. Fire inspections.
 8. Operational inspections.
 9. Training records that document all required training for all transfer station staff.

- B. A copy of the most current version of this permit shall be maintained at the scale house as well as at the transfer station. An additional copy of this permit should also be kept on site at temporary locations for HHW collection events.
- C. HHW Collection Program Event Reporting: The following information shall be recorded and maintained at the facility for a period of at least three (3) years:
 - 1. Copies of all manifests used for the shipment of HHW for a period of at least three (3) years.
 - 2. Current training records for personnel handling HHW.

IV. CLOSURE

- A. At least 60 days prior to the date when waste will no longer be accepted at the facility, DSWA shall submit the following for DNREC approval:
 - 1. Written notification of intent to close.
 - 2. An updated closure plan.
 - 3. The closure schedule.
 - 4. A description of the post-closure use of the facility.
- B. Closure of the transfer station shall meet the closure requirements set forth in the DRGSW. After closure has been completed, the DNREC may require that the DSWA conduct monitoring and/or maintenance activities at the site to prevent or detect and mitigate any adverse environmental or health impacts.
- C. Closure of the HHW site shall meet the closure performance standard set forth in the Delaware Regulations Governing Hazardous Waste (DRGHW), Section 265.111.

Permit Synopsis

June 9, 2000: Permit SW-00/02 was issued to replace SW-95/02. SW-95/02 expired on June 9, 2000. This permit regulates, in accordance with the Delaware Regulations Governing Solid Waste, the Delaware Solid Waste Authority's Transfer Station on their property at 1101 Lambson Lane.

April 30, 2001: Permit SW-00/02 was modified to reflect the changes proposed in the Settlement Agreement executed by the Secretary of DNREC on February 22, 2001 (as a result of DSWA appeals to the Environmental Appeals Board 2000-06 and 2000-08).

June 18, 2003: Permit SW-00/02 was modified in accordance with the DSWA submittal, "Pigeon Point Transfer Station Permit Modification Request", dated October 21, 2002. The modification incorporates the DSWA's revised Operations Plan and Contingency Plan. The modifications are considered minor in accordance with the DRGSW section 4.A.7.d. Sections modified include: II.A, II.M, and II.Q where documents referenced have changed; and II.G, where language referring to waste screening in the original application submittal has been removed.

February 17, 2004: The Permit was modified at the request of the DSWA. The changes incorporate a minor change to the Operating Plan regarding storage of waste from the Recycle Delaware program (Section II.A. of the permit) and extends storage time for Recycle Delaware waste from 72 hours to 7 days (Section II.H. of the permit). The modifications are considered minor in accordance with the DRGSW section 4.A.7.d.

October 12, 2004: Permit SW-00/02 was modified to include language regarding the operation of the DSWA Household Hazardous Waste collection program events to occur at the Pigeon Point Transfer Station as well as temporary locations off-site. The former DRC Permit SW-98/05 has expired and the permit conditions for the HHW collection events have been transferred to Pigeon Point Permit SW-00/02. The modifications are considered minor in accordance with the DRGSW section 4.A.7.d.

June 9, 2005: Permit SW-05/04 was issued to replace SW-00/02. SW-00/02 expired on June 9, 2005. This permit regulates, in accordance with the Delaware Regulations Governing Solid Waste, the Delaware Solid Waste Authority's Transfer Station on their property at 1101 Lambson Lane, hereafter named the Delaware Recycling Center Transfer Station.

June 9, 2015 – Permit SW-15/01 issued to replace SW-05/04, which expired on June 9, 2015. Only change to permit, per DSWA's request (Munyan), is the reporting deadline for annual reports to March 1st, which is consistent with other facility deadlines.

